

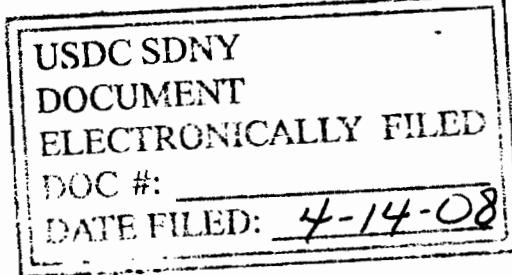
UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK-----x  
TABERNA CAPITAL MANAGEMENT, LLC, :

Plaintiff, : 08 Civ. 1817 (JSR)

-v- : ORDERSIDNEY B. DUNMORE, MICHAEL A. KANE,  
and DHI DEVELOPMENT f/k/a DUNMORE  
HOMES, LLC, :

Defendants. : -----x

JED S. RAKOFF, U.S.D.J.



Defendants Sidney B. Dunmore and Michael A. Kane move to dismiss the above-captioned case for lack of personal jurisdiction, to dismiss or transfer for lack of proper venue, or to transfer in the interests of justice. The motion is hereby denied. An opinion explaining the reason for this determination will issue in due course.

SO ORDERED.

A handwritten signature in black ink, appearing to read 'Jed S. Rakoff'. It is positioned above a horizontal line. To the right of the line, the text 'JED S. RAKOFF, U.S.D.J.' is printed in a standard font. A diagonal line is drawn from the end of the signature towards the text.

Dated: New York, New York  
April 11, 2008